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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

In Re NVIDIA CORPORATION SECURITIES
LITIGATION

Case No. 4:18-cv-07669-HSG

CLASS ACTION

This Document Relates to: All Actions.

**STIPULATION AND ORDER SETTING
SCHEDULE FOR FILING OF THE
SECOND CONSOLIDATED AMENDED
COMPLAINT AND ANSWER OR OTHER
RESPONSE TO THE SECOND
CONSOLIDATED AMENDED COMPLAINT**

Judge: Hon. Haywood S. Gilliam, Jr.
Courtroom: 2

1 This Stipulation is entered into by and between Lead Plaintiffs E. Öhman J:Or Fonder AB
2 (“Öhman Fonder”) (“Öhman Fonder”) and Stichting Pensionenfonds PGB (“PGB,” and with Öhman
3 Fonder, “Lead Plaintiffs”) and Defendants NVIDIA Corporation (“NVIDIA”), NVIDIA’s President and
4 Chief Executive Officer, Jensen Huang, NVIDIA’s Executive Vice President and Chief Financial
5 Officer, Collette Kress, and NVIDIA Senior Vice President, Jeff Fisher (collectively, “Defendants”)
6 (together with Lead Plaintiffs, the “Parties”).

7 **WHEREAS**, on March 16, 2020, the Court issued an order granting in part and denying in part
8 Defendants’ motion to dismiss the Consolidated Class Action Complaint (“CAC”), with leave to amend;

9 **WHEREAS**, the Court ordered Lead Plaintiffs to file an amended consolidated complaint by
10 April 13, 2020;

11 **WHEREAS**, there currently is a global health emergency due to the novel coronavirus
12 COVID-19 pandemic;

13 **WHEREAS**, counsel for Lead Plaintiffs have business operations in at least California,
14 Pennsylvania, and New York;

15 **WHEREAS**, counsel for Defendants have business operations in at least California and New
16 York;

17 **WHEREAS**, on March 16, 2020, seven counties in the Bay Area, including San Francisco
18 County, Santa Clara County, Alameda County, and Marin County, issued “shelter-in-place” orders until
19 April 7, 2020, which required residents in these counties to stay at home except for essential needs and
20 exercise and non-essential businesses to cease physical operations;

21 **WHEREAS**, on March 19, 2020, the Governor of California, Gavin Newsom, extended similar
22 orders to the entire state of California indefinitely;

23 **WHEREAS**, on March 19, 2020, the Governor of Pennsylvania, Tom Wolf, issued an order
24 requiring the closure of the physical operations of all businesses within Pennsylvania that are “not life
25 sustaining,” including law firms, indefinitely;

26 **WHEREAS**, on March 20, 2020, the Governor of New York, Andrew Cuomo, issued an order
27 requiring the closure of the physical operations of non-essential businesses within New York,
28 indefinitely;

1 **WHEREAS**, counsel for Lead Plaintiffs state that these orders, as well as the global efforts to
2 slow the spread of COVID-19 implemented since the beginning of March 2020, have impacted and will
3 continue to impact Lead Plaintiffs' time to further investigate and amend the CAC, including contacting
4 witnesses within and outside the United States;

5 **WHEREAS**, between March 18, 2019 and March 23, 2020, the Parties met and conferred
6 regarding a schedule for Lead Plaintiffs' filing of a second consolidated amended complaint and any
7 corresponding answer or responsive motion thereto; and

8 **WHEREAS**, the Parties agree that the following proposed schedule is reasonable and appropriate
9 given the current status of the public health emergency and the orders issued in the states where the
10 Parties' counsel have business operations, among others, and the nature of the action and the issues
11 raised in the CAC and the Court's March 16, 2020 order.

12 **THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the Parties,
13 through their undersigned counsel, as follows:

14 1. Lead Plaintiffs shall file and serve a second consolidated amended complaint by May 13,
15 2020.

16 2. Defendants shall answer or otherwise respond to the second consolidated amended
17 complaint on or before June 29, 2020.

18 3. If any or all Defendants move to dismiss the second consolidated amended complaint,
19 Lead Plaintiffs shall file and serve opposition papers by August 13, 2020.

20 4. Any reply papers shall be filed and served by September 14, 2020.

21 5. Any hearing on the motion to dismiss shall be conducted at 2:00 p.m. on October 15,
22 2020, or at the Court's convenience any time thereafter.

23 Dated: March 24, 2020

Respectfully submitted,

24 **KESSLER TOPAZ**
25 **MELTZER & CHECK, LLP**

26 /s/ Jennifer L. Joost

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*Counsel for Lead Plaintiff Stichting Pensioenfonds PGB
and Co-Lead Counsel for the Class*

Dated: March 24, 2020

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5 *Attorneys for Defendants*
6 *NVIDIA Corporation, Jensen Huang, Colette Kress and*
7 *Jeff Fisher*

8 **ATTESTATION OF CONCURRENCE IN FILING**

9 Pursuant to the United States District Court for the Northern District of California, Civil L.R. 5-
10 1(i)(3), I hereby attest that the concurrence to the filing of the foregoing document has been obtained
11 from each of the other signatories.


12 Dated: March 24, 2020

/s/ Jennifer L. Joost
JENNIFER L. JOOST

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1. Lead Plaintiffs shall file and serve a second consolidated amended complaint by May 13, 2020 (the “Second Consolidated Amended Complaint”).
2. Defendants shall answer or otherwise respond to the Second Consolidated Amended Complaint on or before June 29, 2020.
3. If any or all Defendants move to dismiss the Second Consolidated Amended Complaint, Lead Plaintiffs shall file and serve opposition papers by August 13, 2020.
4. Any reply papers shall be filed and served by September 14, 2020.
5. Subject to any further order of the Court, the motion to dismiss shall be noticed for hearing as part of the Court’s regular law and motion calendar on Thursday, October 15, 2020, at 2:00 p.m.

Dated: 3/25/2020


Hon. Haywood S. Gilliam, Jr.
United States District Court Judge